

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA
ex rel., YNKDY-2,
STATE OF NEW YORK
ex rel., YNKDY-2,
STATE OF NEW JERSEY
ex rel., YNKDY-2,

Plaintiffs,

- against -

SHIEL MEDICAL LABORATORY, *et al.*,

Defendants.

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UNITED STATES OF AMERICA,
STATE OF NEW JERSEY,
STATE OF NEW YORK, and
STATE OF CONNECTICUT,
ex rel. John Doe,

Plaintiffs,

- against -

SHIEL HOLDINGS LLC, *et al.*,

Defendants.

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ORDER
FILED UNDER SEAL

Civil Action No. 16-CV-1090

(Garaufis, J.)

Civil Action No. 17-CV-2732

(Garaufis, J.)

WHEREAS, by notices of election, the United States, State of New York, State of New Jersey and State of Connecticut (the "States") having declined to intervene in these actions pursuant to the False Claims Act, 31 U.S.C. §§ 3729 *et seq.*, New York State False Claims Act, New York State Fin. Law §§ 187 *et seq.*, New Jersey False Claims Act, N.J. Stat. Ann. §§ 2A:32C-1 *et seq.*, and the Connecticut False Claims Act, Conn. Stat. Gen. §§ 4-274-289 *et seq.*;

IT IS ORDERED that,

1. The complaints be unsealed and served upon the defendants by the relators;
2. All other contents of the Court's file in these actions remain under seal and not be made public or served upon the defendants, except for this Order and the United States' and the States' Notices of Election to Decline Intervention, which the relators will serve upon the defendants only after service of the complaints;
3. The seal be lifted as to all other matters occurring in these actions after the date of this Order;
4. The parties shall serve all pleadings and motions filed in these actions, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3), and upon the States, including but not limited to pursuant to State Fin. Law § 190(2)(f). The United States and the States may order any deposition transcripts and are entitled to intervene in these actions, for good cause, at any time, or to seek the dismissal of relators' actions or claims;
5. The parties shall serve all notices of appeal upon the United States and the States;
6. All orders of this Court shall be sent to the United States and the States;
7. Should the relators or the defendants propose that these actions be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States and the States before ruling or granting its approval; and that

8. Any dismissal of these actions shall be on notice to the United States and the States as to any claim of the United States and the States, and any dismissal shall be without prejudice.

SO ORDERED:

Brooklyn, New York

June 10, 2022

s/Nicholas G. Garaufis

HONORABLE NICHOLAS G. GARAUFIS
United States District Judge, E.D.N.Y.